

**Published on:**

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED**

**(*Environmental Protection Act 1986*)**

**GREATER PARABURDOO IRON ORE HUB**

**Proposal:** The proposal is to develop and operate the Greater Paraburdoo Iron ore Hub, including above and below water table iron ore deposits and associated infrastructure, located approximately 6 kilometres south-east of Paraburdoo, in the Pilbara region of Western Australia.

The Proposal is further documented in Schedule 1 of this statement.

**Proponent:** Hamersley Iron Pty. Limited  
Australian Company Number 004 558 276

**Proponent Address:** Level 22  
152-158 St Georges Terrace  
PERTH WA 6000

**Assessment Number:** 2189

**Report of the Environmental Protection Authority:** XXXX

Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal described and documented in Table 2 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures.

**1. Proposal Implementation**

1-1 When implementing the Proposal, the proponent shall not exceed the authorised extent of the Proposal as defined in Table 2 in Schedule 1, unless amendments to the Proposal and the authorised extent of the Proposal have been approved under the EP Act.

**2. Contact Details**

2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

**3. Compliance Reporting**

3-1 The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO prior to the first Compliance Assessment Report required by condition 3-6, or as agreed in writing by the CEO.

- 3-2 The Compliance Assessment Plan shall indicate:
- (1) the frequency of compliance reporting;
  - (2) the approach and timing of compliance assessments;
  - (3) the retention of compliance assessments;
  - (4) the method of reporting of potential non-compliances and corrective actions taken;
  - (5) the table of contents of Compliance Assessment Reports; and
  - (6) public availability of Compliance Assessment Reports.
- 3-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 3-2 the proponent must assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 3-1.
- 3-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 3-1 and shall make those reports available when requested by the CEO.
- 3-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 3-6 The proponent shall submit to the CEO a Compliance Assessment Report by 30 April each year addressing compliance in the previous calendar year, or as agreed in writing by the CEO. The first Compliance Assessment Report shall be submitted by 30 April 2022 addressing the compliance for the period from the date of issue of this Statement, notwithstanding that the first reporting period may be less than 12 months.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's CEO or a person delegated to sign on the CEO's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 3-1.

#### **4. Public Availability of Data**

- 4-1 Subject to condition 4-2, within a reasonable time period approved in writing by the CEO of the issue of this Statement and for the remainder of the life of the Proposal, the proponent shall make publicly available, in a manner approved in writing by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products e.g. maps) required under this Statement.
- 4-2 If any data referred to in condition 4-1 contain particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make those data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

## **5. Condition Environmental Management Plan**

- 5-1 Within 6 months of the issue of this statement the proponent shall prepare and implement a Condition Environmental Management Plan(s) to the satisfaction of the CEO. This plan shall demonstrate that the environmental outcomes specified in conditions 6-1, 7-1 and 8-1 and the environmental objectives specified in condition 6-2 will be met.
- 5-2 For outcome based provisions, the Condition Environmental Management Plan(s) shall:
- (1) specify the environmental outcomes to be achieved, as specified in condition 5-1;
  - (2) specify trigger criteria that must provide an early warning that the threshold criteria may not be met;
  - (3) specify threshold criteria to demonstrate compliance with the environmental outcomes specified in condition 5-1;
  - (4) specify monitoring to determine if trigger criteria and threshold criteria are exceeded;
  - (5) specify trigger level actions to be implemented in the event that trigger criteria have been exceeded;
  - (6) specify threshold contingency actions to be implemented in the event that threshold criteria are exceeded; and
  - (7) provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that condition 5-1 has been met over the reporting period in the Compliance Assessment Report required by condition 3-6.
- 5-3 For management based provisions, the Condition Environmental Management Plan shall:
- (1) specify the environmental objectives to be achieved, as specified in condition 5-1;
  - (2) specify management actions to meet the environmental objective;
  - (3) specify management targets;
  - (4) specify monitoring to determine if management targets are being met; and
  - (5) provide the format and timing for the reporting of monitoring results against management targets to demonstrate that condition 5-1 has been met over the reporting period in the Compliance Assessment Report required by condition 3-6.
- 5-4 After receiving notice in writing from the CEO that the Condition Environmental Management Plan(s) satisfies the requirements of conditions 5-1, 5-2 and 5-3 the proponent shall:

- (1) implement the Condition Environmental Management Plan(s), or any subsequent approved versions; and
  - (2) continue to implement the Condition Environmental Management Plan(s) until the CEO has confirmed by notice in writing that the proponent has demonstrated the outcomes and objective specified in condition 5-1 have been met.
- 5-5 In the event that monitoring, tests, surveys or investigations indicates an exceedance of the threshold criteria specified in the Condition Environmental Management Plan(s), the proponent shall:
- (1) report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified;
  - (2) implement the threshold level contingency actions specified in the Condition Environmental Management Plan(s) within 24 hours and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria are being met and the implementation of the threshold contingency actions is no longer required;
  - (3) investigate to determine the cause of the threshold criteria being exceeded;
  - (4) investigate to provide information for the CEO to determine potential environmental harm that occurred due to the threshold criteria being exceeded; and
  - (5) provide a report to the CEO within twenty-one (21) days of the exceedance being reported as required by condition 5-5(1). The report shall include:
    - (a) details of threshold contingency actions implemented;
    - (b) the effectiveness of the threshold contingency actions implemented, against the threshold criteria;
    - (c) the finding of the investigations required by conditions 5-5(3) and 5-5(4);
    - (d) measures to prevent the threshold criteria being exceeded in the future;
    - (e) measures to prevent, control or abate the environmental harm which may have occurred; and
    - (f) justification of the threshold remaining, or being adjusted based on better understanding, demonstrating that outcomes would continue to be met.
- 5-6 In the event that monitoring, tests, surveys or investigations indicate non-achievement of management target(s) specified in the Condition Environmental Management Plan(s), the proponent shall:
- (1) report the non-achievement in writing to the CEO within seven (7) days of the non-achievement being identified;
  - (2) investigate to determine the cause of the management targets not being achieved;
  - (3) provide a report to the CEO within twenty-one (21) days of the non-achievement being reported as required by condition 5-6(1). The report must include:
    - (a) cause of non-achievement of management targets;
    - (b) the findings of the investigation required by condition 5-6(2);

- (c) details of revised and/or additional management actions to be implemented to prevent non-achievement of the management target(s); and
- (d) relevant changes to proposal activities.

5-7 The proponent:

- (1) may review and revise the Condition Environmental Management Plan(s), or
- (2) shall review and revise the Condition Environmental Management Plan(s) as and when directed by the CEO.

5-8 The proponent shall implement the latest revision of the Condition Environmental Management Plan(s), which the CEO has confirmed by notice in writing, satisfies the requirements of conditions 5-1, 5-2 and 5-3.

## **6. Flora and Vegetation – *Aluta quadrata***

6-1 The proponent shall manage the implementation of the Proposal to meet the following environmental outcome:

- (1) Ensure no direct impacts from the Proposal on the Western Range population of *Aluta quadrata* within the Mining Exclusion Zone, as delineated in **Figure x** of Schedule 1 and defined by the geographic coordinates in Schedule 2.

6-2 The proponent shall manage the implementation of the Proposal to meet the following environmental objective:

- (1) Minimise indirect impacts from the Proposal, as far as practicable, to the Western Range *Aluta quadrata* population.

## **7. Terrestrial Fauna – Ghost Bat and Pilbara Leaf-nosed Bat**

7-1 The proponent shall manage the implementation of the Proposal to meet the following environmental outcomes:

- (1) Maintain the structural integrity of Ghost Bat roosts retained in the Development Envelope, including the establishment of Mining Restriction Zones surrounding roosts within 300 m of mine pits, as delineated in **Figure x** of Schedule 1 and defined by the geographic coordinates in Schedule 2.
- (2) Maintain the structural integrity of the Pilbara Leaf-nosed Bat permanent maternal roost (Ratty Springs).

7-2 The proponent shall manage the implementation of the Proposal to meet the following environmental objectives:

- (1) Improve knowledge of the Ghost Bat population and utilisation of high value habitat on Western Range in the Greater Paraburdoo Development Envelope.
- (2) Improve knowledge of the Pilbara Leaf-nosed Bat population and utilisation of maternity roost near Ratty Springs Western Range in the Greater Paraburdoo Development Envelope.

## **8. Inland Waters – Riparian Vegetation**

- 8-1 The proponent shall manage the implementation of the Proposal to meet the following environmental outcomes:
- (1) Ensure no impact to Ratty Springs and the associated Riparian vegetation as a result of dewatering for the Proposal.
  - (2) Ensure no adverse impact to the riparian vegetation of Seven Mile Creek outside Development Envelope as a result of dewatering for the Proposal.

## **9. Rehabilitation and Decommissioning**

- 9-1 The proponent shall manage the implementation of the proposal to meet the following environmental objectives:
- (1) Ensure that the proposal is rehabilitated and decommissioned in an ecologically sustainable manner.
- 9-2 Within twelve (12) months of the issue of this Statement or as otherwise agreed in writing from the CEO, the proponent shall prepare and submit a Mine Closure Plan in accordance with the Guidelines for Preparing Mine Closure Plans, May 2015 (or any subsequent revisions of the guidelines), to the requirements of the CEO, on advice of the Department of Mines, Industry Regulation and Safety and the Department of Water and Environmental Regulation.
- 9-3 The proponent shall review and revise the Mine Closure Plan required by condition 9-2 at intervals not exceeding three (3) years, or as otherwise specified by the CEO, and submit the plan to the CEO at the agreed interval.
- 9-4 The proponent shall implement the latest revision of the Mine Closure Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 9-2.

## **10. Offsets**

- 10-1 In view of the residual impacts and risks as a result of implementation of the Proposal, the proponent shall contribute funds to offset clearing of 'good to excellent' condition native vegetation, including the loss of habitat for conservation significant species, in the Hamersley IBRA subregion, and calculated pursuant to condition 10-2. This funding shall be provided to a government-established conservation offset fund or an alternative offset arrangement providing an equivalent outcome as determined by the Minister.
- 10-2 The proponent's contribution to the initiative identified in condition 10-1 shall be paid biennially, the first payment due two years after commencement of the additional ground disturbance defined in Table 2 of Schedule 1. The amount of funding would be made on the following basis and in accordance with the approved Impact Reconciliation Procedure required by condition 10-3:
- (1) \$750 AUD (excluding GST) per hectare of 'Good to Excellent' condition vegetation cleared within the Greater Paraburdoo Mine Development Envelope (delineated in **Figure x** and defined by the geographic coordinates in Schedule 2) within the Hamersley and Ashburton IBRA subregion;
  - (2) \$1500 AUD (excluding GST) per hectare of riparian vegetation cleared within the Greater Paraburdoo Mine Development Envelope (delineated in **Figure x and** defined by the geographic coordinates in Schedule 2) within the Hamersley and Ashburton IBRA subregions; and

(3) \$3000 AUD (excluding GST) per hectare of critical habitat for the Ghost bat, Pilbara Leaf-nosed bat, Northern Quoll, or Pilbara Olive Python (Gorges and Gullies; Drainage Line/River/Creek (Major)) cleared within the Greater Paraburdoo Mine Development Envelope within the Hamersley and Ashburton IBRA subregions, as shown in **Figure x** of Schedule 1 and described in the spatial data in Schedule 2.

- 10-3 The proponent shall prepare and submit an Impact Reconciliation Procedure to the satisfaction of the CEO within six months of the date of this Statement, or as approved by the CEO.
- 10-4 The Impact Reconciliation Procedure required pursuant to condition 10-3 shall:
- (1) include a methodology to identify clearing of 'good to excellent' condition native vegetation in the Hamersley IBRA subregion;
  - (2) include a methodology for calculating the amount of clearing undertaken during each biennial time period; and
  - (3) state dates for the commencement of the biennial time period and for the submission of results of the Impact Reconciliation Procedure, to the satisfaction of the CEO.
- 10-5 The real value of contributions described in condition 10-2 will be maintained through indexation to the Perth Consumer Price Index (CPI), with the first adjustment to be applied to the first contribution.

{signed on xx xxx 20xx}

Hon Stephen Dawson MLC  
**MINISTER FOR ENVIRONMENT**